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THE SALOON PROBLEM

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For the sake of brevity and simplicity, let us set aside the vagaries of the professional reformers and consider matters on a practical basis. I suppose we are all agreed upon these points:

That alcoholism is a serious evil which, like other social and physical evils, is largely preventable and to some extent curable.

That the facilities for the treatment of alcoholism are nowhere adequate; and

That the sale of alcoholic beverages must be subject to public regulation.

It is generally agreed by all trained students of government that the prohibition of the sale of such beverages has proved a failure. (No state has so far restricted the right of the individual as to forbid his use of them, nor is it an offence for him to buy them for his own use, even in a prohibition state.)

It must be conceded that most adults drink beverages containing alcohol, and that a considerable proportion of them do so habitually.¹ It is apparent that the majority of the consumers of alcoholic beverages are people of temperate habits, who do not differ from the mass of decent, law-abiding citizens in their personal conduct. It is also admitted that the people of our time are, on the whole, more temperate than those of any other time of which we have any comparative records, and that the general trend is constantly upward.

But with all this, the evils which spring from intemperance were never so well recognized as they are to-day. An instructed

¹According to the Committee of Fifty ("Physiological Aspects of the Liquor Problem") not more than twenty per cent of the adult males in this country are *total abstainers* and not more than five per cent are *positively intemperate*, in the sense that they drink in such excess as to cause evident injury to health. Of the remaining seventy-five per cent the majority, probably at least fifty per cent, of the whole are occasional drinkers, while the remaining twenty-five per cent might perhaps be classed as *regular moderate drinkers*. The committee does not claim reliability for these estimates, and it has certainly much underrated the proportion of *regular moderate drinkers*.

democracy is bound to become self-conscious and to develop a sense of social responsibility. As a practical people we have begun to take stock of ourselves and to count the cost of our own defects. We have learned that over-crowding spells tuberculosis, that bad water and poor drainage cause typhoid epidemics, that child-labor reduces vitality and efficiency—that these are among the tangible causes of poverty—and that extreme poverty causes intemperance and a whole train of other social evils. Incidentally we have learned—some of us—that these various causes act and react upon each other, and that intemperance and other evils are matters both of cause and effect.

Unfortunately, we have not, as a people, learned the value of thoroughness yet, and with child-like simplicity we insist upon an instant remedy, and hurry our lawmakers into immediate action as soon as any evil is brought home to us. Much of our recent social legislation has been hasty and ill-considered, and will have to be done all over again—when we have the leisure for it. Half-educated people are moved through their emotions, and the stimulus of such a hectic movement leads naturally to impetuous action rather than to the rational research and discriminating care which are the basic methods of a constructive system. Then, too, we still rely on legislation to correct our morals and regulate our personal conduct.

But I must not be tempted to take so wide a range. The point which I have been gradually coming to is, that the destruction of the saloon does not solve what is called the liquor problem. To quote from the last report of the trustees of the United States Brewers' Association:

The crux of the whole question is really this: Can the common use of intoxicants be prevented by abolishing their lawful sale? If not, the practical thing to do is to improve the system of regulating the places where they are sold, and to encourage the sale of those beverages which have the smallest amount of alcohol, while at the same time the work of popular education is continued along the lines of self-restraint and moderation in all things.

Control, and not elimination, is the key to the solution of the saloon problem. In all thickly settled communities the saloon is a necessary social institution. You cannot have a city without saloons. They may not be officially recognized and licensed, but they are there just the same. There are, however, good and bad saloons; saloons that serve the reasonable convenience of the people in decent and orderly fashion, and saloons that are centers of social disorder. There is nothing inherent in the saloon which need or

should make it disorderly or disreputable. The average saloon is conducted in as decent and business-like a fashion as a grocery store. In such places a disorderly person is a nuisance and is not tolerated. Unfortunately, there are in most of our large cities saloons that pander to vice, and some that are closely allied to criminals, if not to actual crime. These, though comparatively few in number, are easily magnified into the "saloon problem."

The best working solution for the social control of the sale of liquor that has yet been devised is the licensing system. To be successful, however, the license must be so conditioned that it insures stability in the business, and compels the licensee to regard obedience to law and order as essential to the continuance of his franchise. A permanent, consistent and stable public policy, which deals justly and fairly with the saloon-keeper, raises the character of the business and attracts to it men of responsibility. The uncertainty which is caused by constant legislative tinkering is demoralizing to any business, and reacts upon the men who are engaged in it. After all, the moral equipment of the individual is the best method of safeguarding both the men who frequent the saloon and those who manage it.

I wonder, sometimes, if any of us really know enough about the saloon to pass judgment upon it? Let us suppose that we are conducting an investigation, and that we have been able to summon the licensing authorities, the patrolman, the landlord, the brewer, the distiller, the bonding company, and the saloon-keeper himself. The obvious points, such as the number of saloons and their proportion to the population and the amount of the license fee, would be easily obtained. Let me suggest some other questions of practical importance. We will put the saloon-keeper on the stand.

Give the total, in cost and quantity, of your last year's purchases of the following articles, separately: Beer, whiskey and hard liquors, wine, cigars, carbonated water and soft drinks, and the materials for your free lunch.

What was your expense account? State the items of license, rent, wages, insurance, interest, taxes, repairs, and sundries. State the capital invested in furniture and fittings.

How much money did you take in, and what was your relative profit from beer, hard liquors, and cigars?

How many individuals do you serve daily?

How many of them come in more than once a day? What is the proportion of regulars and casuals?

How many men buy more than one drink per visit?

Is the lunch-counter a necessity, and to what extent does it attract custom?

What are your busy hours?

What is the average duration of time that your customers spend in your saloon?

How do your Sunday sales compare with other days? How does the business of Saturday night compare with other nights?

Do you give credit, and how much?

Do your bartenders solicit business? In other words, are men urged to drink?

How many of your customers do you know personally? How many of them live in your neighborhood?

Have you any back rooms or private places?

By whom and for what purposes are they used?

How many of your customers enter by side doors or passages? Would you lose much business if all of them had to come in publicly, and if all your business was transacted as openly as a grocer's?

What percentage of your business is done after eleven p. m., and on Sundays before one p. m.?

Do many of your customers visit nearby saloons? In other words, to what extent does your trade overlap your competitors?

What proportion of your customers are laborers and mechanics?

About how much money do your wage-earning customers spend, on the average, in your place each week?

Do you serve a drunken man?

How do you handle men who are disorderly?

No doubt other questions will suggest themselves. The purpose of such an investigation would of course be to determine the character of the particular saloon and the extent to which it is apparently demanded as a public convenience. It would serve as a guide to the governing body in deciding upon the number of licenses and the open hours of business. Of course it will be evident that the saloon varies greatly according to its location and patronage. I doubt if there is any other social institution which so readily adjusts itself to the environment. Some saloons are veritable "working-men's clubs," others do not possess a chair or a table, because they would be useless to the throng of men who hurry in and out again. There are very few "soda fountains" and practically no "quick-lunch counters" where the service compares in efficiency, rapidity and cleanliness with a busy saloon! Waiters—of both sexes—and

the "clerks" in drug stores are clumsy amateurs compared with the average bartender.

The testimony of the saloon-keeper should be supplemented by other evidence from the community standpoint. For example:

What are the neighborhood facilities for social meetings and recreation? For instance, lodge rooms, clubs, reading rooms, bowling alleys, play-houses, etc.

What percentage of licensed liquor places serve meals or have hotel accommodations?

Are there any "public-comfort stations" in the neighborhood?

Eliminating the saloons which serve the day-time convenience of the business section, what is the ratio of saloons to the residents of the district?

Analyze the annual tally of arrests for drunkenness and disorderly conduct, to show how many separate individuals they represent.

What are the total annual sales of intoxicants which are made locally by drug stores, department stores, grocers and bottling establishments?

What comparison does the "family trade" in case goods bear to the gross consumption?

To what extent do jobbers, such as the above mentioned, who only pay a small license fee, compete with the saloon?

Are there any places where liquor is sold illegally? If so, is it due to the lack of conveniently located saloons, or to unduly high license, or simply to police corruption and inefficiency?

What, if any, is the saloon policy of the licensing body? For instance, is the number of saloons adjusted according to ratio of population? Does it discourage saloons in "high-class residence districts?" Can a man who runs a decent place count on a renewal of his license?

Where a license-application has to be endorsed by neighbors, or signed by petitioners, does it lead to blackmail and "hold-ups?"

What is the effect of a remonstrance law?

The purpose of these questions would naturally serve to aid the judgment of the licensing authorities in determining these points:

Where the saloons should be located, with reference to a legitimate demand, and to serving the convenience of the public.

How many saloons this legitimate demand will properly support, without resorting to unusual or irregular "attractions."

The amount of license fee which they can afford to pay.

Whether any saloons for the sale of beer and light wines only would be profitable, and if so, where such saloons should be located.

The extent of the demand for Sunday opening, the locations where the demand for it might justify Sunday opening, and the amount of additional license fee which such saloons could afford to pay for this special privilege.

Right here two most important questions are raised for our consideration: Is it possible or wise to discriminate in favor of beer and the lighter beverages by providing a special license for beerhouses? and what is the best policy to pursue with regard to Sunday opening?

In a number of states the experiment of licensing the sale of beer only at lower rate than a general license has been tried, with varying success. The difficulty is that the holder of a beer-license is constantly tempted to sell ardent spirits, and the separation of the two has proved very hard to enforce. When, however, we remember that American beer only averages $3\frac{1}{2}$ per cent of alcohol, it will be recognized that the encouragement of beer-houses is most desirable. My own belief is that the system can only be operated successfully when brewers actually *own and operate* the places where their product is sold! At present the brewer finances most of the saloons, but he does not operate them, nor does he even actually control them! A successful saloon-keeper can shift his loans with the greatest ease, and is independent of any particular brewer. If the saloon-keeper was the agent or employee of the brewer, he would have no interest in selling spirits.

The Sunday question has caused endless complications. It is probably safe to say that in nearly all of our large cities and popular resorts liquor is sold on Sunday, either openly or under cover. Where the saloons are kept closed, bogus "clubs" and "speak-easies" spring up, which take advantage of the demand for liquor and practically exist on the illicit business which they can get on this one day in the week. The sentiment as to the open Sunday varies so much in the different cities that it is very hard to gauge. It seems probable that in New York, Chicago, Cincinnati, Milwaukee, Jersey City and Newark, and in the popular pleasure resorts, the mass of the people want Sunday opening. In Boston and Philadelphia, and a few other cities of the first class, and in most of the cities of the

second and third class, I think it is probable that the sentiment is against it. It is generally admitted that the present system of legal proscription and illegal practice leads to a great deal of police corruption and blackmail. Whether this is counterbalanced by the benefit of the closed saloon is an open question. It has been suggested that the problem might be solved by allowing certain of the saloons to open during carefully restricted hours on payment of an extra license fee. I question the wisdom of "local option" in the matter of Sunday selling. There is something distasteful about the idea of a "campaign" on such an issue!

One of the most vexed and unsettled questions in connection with the saloon problem is, who shall be the licensing authority? All sorts of plans have been tried; state excise commissions, police commissioners, county judges, courts of quarter sessions, elective boards, mayors, councilmen's committees, and aldermen. No one system has proved so uniformly satisfactory as to warrant unreserved commendation. I think, however, that the weight of opinion among careful students of government leans towards municipal regulation, with wide discretion on the part of the licensing body. The system, whatever it be, should be so flexible as to adapt itself readily to local needs and conditions, and the same authority which issues a license should have the power to suspend or revoke it if necessary. The purposes of a licensing law are well set forth by an English author, Mr. Edward R. Pease, in his book on "The Municipal Drink Trade." He says:

The purposes of the law are:

1. To prevent excessive consumption of liquor.
2. To secure adequate police supervision of public houses, due enforcement of rules as to closing, etc., and the prevention of drunkenness and disorder.
3. To raise a revenue for public purposes.
4. To prevent the sale of untaxed liquor.
5. To prevent adulteration.

We might add that it should operate so as to prevent over-licensing and to encourage moderation and the consumption of the milder beverages. The outcry against the disorderly saloon is occasioned in a large degree by over-competition. No doubt the brewers are responsible for this in many cases, but the licensing authorities

are equally responsible. To plant three saloons where there is only legitimate business enough for two does not increase the thirst of the community; it simply forces one of the three to resort to irregular attractions to draw custom.

An honest and thorough investigation of the saloons would prove that the majority of them are conducted in a decent and orderly manner, and occupy an important place in the common life of the people. I doubt if 5 per cent of the saloons are of a positively disreputable character. Brewers themselves realize that such places are a menace to the trade as well as to the community, and as a matter of enlightened self-interest, they are using the power of their local organizations to force the disorderly saloon out of business. They stand ready to co-operate with all public and private agencies whose purpose is constructive and who are actuated by principles of fairness and sanity, but the common ground must be *regulation, not elimination*. A good system must be something more than a mere negation. There is no doubt that an enormous class wants what the saloon provides, and the freedom, democracy and independence of the saloon have not yet been replaced, to any appreciable extent, by any substitute.